

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

Plaintiff, : 07 Civ. 8594 (JGK) (MHD)

v. : ECF Case

AGNES F. NOLAN, in her personal  
capacity, and AGNES F. NOLAN, as  
personal representative for the estate of  
RICHARD E. NOLAN, deceased, :

**DECLARATION IN SUPPORT  
OF MOTION OF DEFENDANTS**

Defendants. :

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David Bunning, an attorney duly admitted to practice before the courts of the State of New York, pursuant to 28 U.S.C. §1746, declares and states as follows:

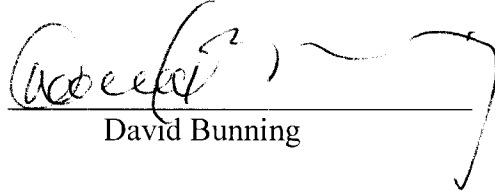
1. I am a shareholder in the firm of Greenberg Traurig, LLP, attorneys for defendants.

2. I submit this declaration in support of defendants' motion to dismiss the action pursuant to Rule 12(b)(5) and (4)(m) of the Federal Rules of Civil Procedure.

3. Attached to this declaration as Exhibit A is a true and correct copy of the complaint in this action.

4. Attached to this declaration as Exhibit B is a true and correct copy of the letter dated February 26, 2008 from Assistant United States Attorney Serrin Turner to Ms. Agnes Nolan.

I declare under penalty of perjury that the foregoing is true and correct. Executed on  
April 18, 2008.



David Bunning